

10/562306

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Docket No. B-5839PCT 623090-4

International Application No.:
PCT/AU2004/000916Applicant(s) for DO/EO/US:
Robert Arthur LEE, et al.International Filing Date:
7 July 2004**Title of Invention:****"A METHOD OF FORMING A DIFFRACTIVE DEVICE"**Priority Date Claimed:
7 July 2003U.S. Application No.
(if known, see 37 CFR 1.5)
NOT YET ASSIGNED

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The U.S. Has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet with check for \$40.00 in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT rule 13ter.2 and 37CFR 1.82 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: copy of published PCT application (49 pages); unsigned Declaration/Power of Attorney (5 pages); Claim to Priority (1 page); copy of International Search Report (4 pages); copy of Written Opinion (3 pages); copy of PCT Request (4 pages); copy of Form PCT/IB/308 (1 page)

The following fees are submitted:

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21. ☒ Basic national fee..... \$ 300.00 = \$ 300.00

22. ☒ Examination fee
If International preliminary examination report prepared by USPTO
and all claims satisfy provisions of PCT Article 33(1)-(4) \$ 100.00
All other situations..... \$ 200.00 = \$ 200.00

23. ☒ Search fee
Search fee (37 CFR 1.445(a)(2)) has been paid on the international
application to the USPTO as an International Searching Authority.... \$ 100.00
International Search Report prepared and provided to the Office..... \$ 400.00
All other situations..... \$ 500.00 = \$ 400.00

TOTAL OF 21, 22 and 23 = \$ 900.00

[] Additional fee for specification and drawings filed in paper over
100 sheets (excluding sequence listing or computer program listing
filed in an electronic medium). The fee is \$250 for each additional
50 sheets of paper or fraction thereof.

Total Sheets	Extra sheets	# of each additional 50 or fraction thereof	RATE
_____ - 100 = _____	_____/50 = _____	_____	x \$250.00 \$ _____

Surcharge of \$130.00 for furnishing the oath or declaration later than
30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ _____

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	<u>46</u> - 20 =	<u>26</u>	x \$50.00 \$ <u>1300.00</u>
Independent claims	<u>2</u> - 3 =	<u>0</u>	x \$200.00 \$ <u>0</u>

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 \$ _____
[] Amendment deleting multiple dependencies enclosed

TOTAL OF ABOVE CALCULATIONS = \$ 2200.00

☒ Applicant claims small entity status. See 37 CFR 1.27.
The fees indicated above are reduced by 1/2. (50% of above) \$ _____
SUBTOTAL = \$ 2200.00

Processing fee of \$130.00 for furnishing the English translation later than
30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$ _____

TOTAL NATIONAL FEE = \$ 2200.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)).
The assignment must be accompanied by an appropriate cover
sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ _____

TOTAL FEES ENCLOSED = \$ 2200.00

Amount to be refunded: \$ _____
charged: \$ _____

☒ A check in the amount of \$ 2200.00 to cover the above fees is enclosed.

[] Please charge my Deposit Account No. _____ in the amount of \$ _____ to
cover the above fees. A duplicate copy of this sheet is enclosed.

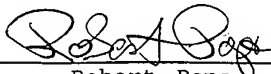
☒ The commissioner is hereby authorized to charge any additional fees
which may be required, or credit any overpayment to Deposit Account No.
12-0415. A duplicate copy of this sheet is enclosed.

[] Fees are to be charged to a credit card. WARNING: Information on thi
form may become public. Credit card information should not be included o
this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 C
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036-5679
Telephone: (323) 934-2300
Telefax: (323) 934-0202


Robert Popa
Reg. No. 43,010

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IN THE UNITED STATES DESIGNATED OFFICE DO/EO/US
REGARDING THE INTERNATIONAL APPLICATION OF:

(1) Robert Arthur LEE, (2) Lawrence David McCARTHY,
(3) Gerhard Frederick SWIEGERS, (4) Timothy John DAVIS and
(5) Gerard Joseph WILSON

ENTITLED: "A METHOD OF FORMING A DIFFRACTIVE DEVICE"

INTERNATIONAL APPLN. NO. PCT/AU2004/000916

Our Ref: B-5839PCT 623090-4

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: United States Designated/Elected Office (DO/EO/US)

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV300746665US

Date of Deposit: December 22, 2005

I hereby certify that the following attached papers or fee

- postcard
- check no. 21031 for \$2,200.00
- Transmittal Letter (2 pages)
- copy of PCT International Application as filed and published
consisting of: Title page with Abstract (2 pages),
Specification (27 pages), Claims (7 pages), 10 sheets of
Drawings (Figs. 1-10) and International Search Report (3
pages)
- unsigned Declaration/Power of Attorney (5 pages)
- Claim to Priority (1 page)
- copy of International Search Report (4 pages)
- copy of Written Opinion (3 pages)
- copy of PCT Request (4 pages)
- copy of Form PCT/IB/308 (1 page)

are being deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service with sufficient postage under
37 CFR 1.10 on the date indicated above in an envelope addressed to

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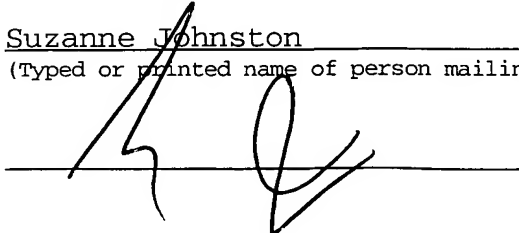
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Time In Mo. 12 Day 20 Year 2005	<input type="checkbox"/> AM <input type="checkbox"/> PM	Return Receipt Fee
Weight lbs. 10.50 ozs. 023	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	COD Fee Insurance Fee
<input type="checkbox"/> No Delivery <input type="checkbox"/> Int'l Alpha Country Code	Acceptance Clerk Initials	Total Postage & Fees \$ 11.85
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